



Rule Up For Final Action

Proposed Amendment to

WAC 230-40-070

Licensee to furnish all cards, chips and other services.

ITEM 11 (a) on the May 14, 2004, Commission Meeting Agenda.		Statutory Authority 9.46.070
Who proposed the rule change?		
Bob Tull, on behalf of DigiDeal Corporation.		
Why is this rule change needed?		
<p>A Petition for Rule Change submitted by Bob Tull, on behalf of DigiDeal Corporation, was filed at the March 2004, Commission meeting. Mr. Tull is requesting an amendment to WAC 230-40-070. Currently, this rule allows electronic facsimiles of cards to be used in house-banked card games. Mr. Tull originally requested an amendment to allow electronic facsimiles of cards to be used for all card games, not just house-banked card games (for example, poker games).</p> <p>Whether to allow this or not is a policy decision for the Commission. If the Commission chooses to allow electronic facsimiles of card for all card games, staff believes regulatory oversight should be at a higher level than games played with traditional cards. Therefore, staff would recommend they only be allowed for house-banked card room licensees, because the games are played on a relatively sophisticated electronic device. At the April Commission Meeting, DigiDeal provided a demonstration of their system.</p> <p><u>Change made after the April Commission Meeting:</u></p> <p>Alternative #1 (tan color paper): After the April meeting, staff and the petitioner discussed adding language to subsection (1)(c) to clarify the system would only be authorized for use in a house-banked card room. After meeting with Mr. Tull, staff included additional language to subsection (1)(c)(iv), regarding surveillance requirements. The alternative was faxed to Mr. Tull for his review on April 13, 2004. Staff's alternative limits electronic facsimiles of cards to house-banked card rooms, with the closed circuit surveillance required for house-banked card games, whether a house-banked or nonhouse-banked card game is played on the system.</p> <p><u>Attached:</u></p> <p>Memo to the Commission dated February 26, 2004, regarding the Petition. Petition for Rule Change and proposed amendment to WAC 230-40-070. Letter to Mr. Tull dated May 1, 2004, notifying him of the May Commission meeting.</p> <p>Blue Paper: Letter dated February 27, 2004, from Keith Wittmers, special agent/card room coordinator, notifying DigiDeal that Trips II and Trips III, which were submitted for approval, do not comply with Commission rules; game rules submitted for the two Trips games; WAC 230-40-070 and WAC 230-40-120</p>		
Statements against the proposed rule change.		
None at this time.		
Which licensees will be directly impacted?		
Card room licensees.		
What are the potential impacts to the agency?		
Minimal.		
Staff recommendation.		
Whether or not to allow this is a policy decision. The attached memorandum includes some issues the Commission may wish to consider in making this decision.		
Proposed effective date.		
If the Commission chooses to adopt the amendment, staff recommends an effective date of July 1, 2004.		